



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

#2
3-1-02

FILE COPY

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09987917	11/16/01	DERRICO et al.	9512-002-27

2184

Supervisor, Patent Prosecution Services
PIPER MARBURY RUDINICK & WOLFE LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

Date Mailed: 12/18/01

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Publication and General Rules Issues

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- An amendment or Application Data Sheet is needed to make this change.
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).

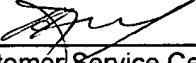
The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.

The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.

There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.

Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.

The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".



Customer Service Center
Office of Initial Patent Examination
(703) 308-1202

Received



**PIPER MARBURY
RUDNICK & WOLFE LLP**
1200 NINETEENTH STREET, NW
WASHINGTON, DC 20036-2412
TELEPHONE: 202-861-3900
FACSIMILE: 202-223-2085

DOCKET NO.: 9512-002-27

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RECEIVED

DEC 26 2001
Technology Center 2100

Re: Serial No.: 09/987,917
Applicant(s): JOEL BRIAN DERRICO, ET AL.
Filing Date: NOVEMBER 16, 2001
For: CLUSTER COMPUTER NETWORK APPLIANCE WHITE PAPER
Group Art Unit: 2184
Examiner: UNASSIGNED

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT
OFFICIAL FILING RECEIPT (COPY)**

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP



A handwritten signature in black ink, appearing to read "Steven B. Kelber". It is written over a horizontal line.

Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Kenneth K. D. Vu
Registration No.: 46,323

DOCKET NO. 9512-002-27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JOEL BRIAN DERRICO, ET AL. ART UNIT: 2184
SERIAL NO.: 09/987,917 EXAMINER: UNASSIGNED
FILING DATE: NOVEMBER 16, 2001
FOR: CLUSTER COMPUTER NETWORK APPLIANCE WHITE PAPER

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

ATTENTION: Application Division
Customer Corrections

SIR:

The Patent Office is requested to provide a corrected Official Filing Receipt for the attached. The following correction(s) should be made to the Official Filing Receipt:

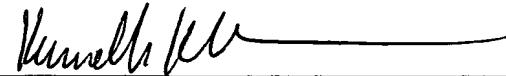
The title is incorrect and should read:

CLUSTER COMPUTER NETWORK APPLIANCE WHITE PAPER

Thank you.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP



Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Kenneth K. D. Vu
Registration No. 46,323

RECEIVED
DEC 26 2001
Technology Center 2100



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/987,917	11/16/2001	2184	625	9512-002-27	5	39	5

CONFIRMATION NO. 7900

18
FILING RECEIPT ¹³



OC000000007138008

Supervisor, Patent Prosecution Services
PIPER MARBURY RUDINICK & WOLFE LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412



Date Mailed: 11/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Joel Brian Derrico, Atlanta, GA;
Paul Jonathan Freet, Duluth, GA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/248,834 11/16/2000

Foreign Applications

If Required, Foreign Filing License Granted 11/29/2001

Projected Publication Date: 05/16/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Cluster computer network appliance

Preliminary Class

714

Technology Center 2100

RECEIVED
DEC 26 2001

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).